

the vote he should feel compelled to give. When the proposition of the gentleman from Prince George's (Mr. Bowie) was first introduced, it proposed to divide the State into six senatorial districts; as now modified, it proposes two districts, one consisting of the Eastern and one of the Western Shore. Mr. D. had opposed it in the first instance for various reasons, one of which was, because he conceived it to be entirely inconsistent with the theory of our Government. The little reading he had of constitutional history has taught him that in the House of Representatives of the United States the people are represented, whilst the Senate was the representative of the sovereignty of the States. The effect of the original proposition, he thought, would be to have the State of Maryland represented in the Senate of the United States, not as a sovereign, independent State, not as a whole, not as an entirety—but by a sectional, fragmentary representation, influenced by local and sectional prejudices and feelings. The proposition now under consideration was in principle the same, it still retained the same local, sectional features, only those features were a little enlarged and more extended. Instead of six districts it is now proposed to have two. The same objections he had to the first he had to the present proposition, and notwithstanding the very eloquent appeal of the gentleman from Dorchester (Mr. Hicks) to his Eastern Shore friends, notwithstanding that he also was an Eastern Shoreman in all his thoughts, in all his feelings, and even in all his prejudices, notwithstanding that every thing he had, or had to expect, was fully, thoroughly and entirely identified with the Eastern Shore, notwithstanding his very heart beat with a throb responsive to all the remarks of the gentleman from Dorchester, still he was not here to indulge his own personal feelings—he was here to legislate for no one particular locality, but to aid and assist in making a constitution coextensive with and as broad as the limits of the whole State. Much, Mr. President, has been said in this Convention of party and of party purposes. Sir, said Mr. D., there are times when I would go all honorable lengths with my party friends, but there are also occasions when all party feelings should be buried. We are here engaged in forming anew our Constitution, and he humbly conceived this to be such an occasion. For himself, upon this floor he knew no party—his action was influenced by no party considerations. He believed that a desire for an increase of power in our legislative halls was the great motive for calling this Convention, and we have been engaged here for a long time in a contest for the loaves and fishes, and this proposition is but another branch of the struggle—it seeks to procure for particular sections the United States Senators.

The Constitution of the United States prescribes the qualifications of Senators. The third section of the first article says, "No person shall be a Senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not,

when elected, be an inhabitant of that State for which he shall be chosen." Here are the qualifications requisite for the office of Senators. Mr. D. thought that for the Legislature to impose an additional qualification and make ineligible all persons living without a particular district, would be to superadd a qualification by an inferior tribunal, to those that the supreme power has declared to be sufficient, and therefore would be null and void. He was, therefore, unwilling to see engrafted upon the Constitution of the State, a provision he believed the Senate of the United States would disregard in the very first case that would be brought before it.

Mr. D. would unite with the gentleman from Dorchester in any and every effort to protect the interests of the Eastern Shore whenever he believed he could do so consistently with the obedience he owed to the Constitution of the U. States—the journal of the Convention would bear him out in saying that he had gone with him who had gone furthest, in every instance when the rights of the Eastern Shore were at stake, throughout the whole agitating, trying struggle attendant upon the adjustment of the representation question. His ground had been taken and maintained with an eye single to the interests of that section; he had voted against the so-called compromise, and would continue to vote against all such compromises—because he did not regard it as any compromise—the gain was all on one side and the loss all upon the other. Does any man suppose that any adjustment we may make here, will be adhered to for any considerable period. The history and observance of the compromise of 1836, show the fallacy of any such idea. Sir, this is no compromise, it is no final settlement, it is no fixed and permanent adjustment; it is but a plan that strengthens the arms already upraised and ready to strike down to the earth the small counties. The proposition under consideration is a different matter, it is a call upon the Eastern Shore, as a section, to engraft upon the Constitution a provision which he believed to be contrary to the spirit of the Federal Constitution, and therefore he could not consent to it.

Mr. PHELPS said that as he had understood the argument, it had not been contended that if this provision would be introduced into the Constitution, and if the Legislature should regard it, the Senate of the United States could reject a Senator elected under it. He would therefore vote for the proposition. It would do no harm, and would at least stand as an expression of the opinion of the people of the State, that the Senators ought to be elected one from the Eastern and the other from the Western Shore of Maryland.

Mr. RANDALL asked what must be the necessary consequence of acting in this matter, either through the Legislature or this Constitution? It was, to concede to the Congress of the United States the very power which you claim for yourselves, the power of making or changing those election districts. And, he would ask his friend from Prince George's, (Mr. Bowie,) who spoke with so much emphasis and propriety about State